## GUNDERSON, PALMER, GOODSELL & NELSON, LLP

#### ATTORNEYS AT LAW

J. CRISMAN PALMER G. VERNE GOODSELL JAMES S. NELSON DANIEL E. ASHMORE TERENCE R. QUINN DONALD P. KNUDSEN PATRICK G. GOETZINGER TALBOT J. WIECZOREK JENNIFER K. TRUCANO DAVID E. LUST THOMAS E. SIMMONS ASSURANT BUILDING
440 MT. RUSHMORE ROAD
POST OFFICE BOX 8045
RAPID CITY, SOUTH DAKOTA 57709-8045

TELEPHONE (605) 342-1078 • FAX (605) 342-0480

www.gundersonpalmer.com

ATTORNEYS LICENSED TO PRACTICE IN SOUTH DAKOTA, NORTH DAKOTA, IOWA, NEBRASKA COLORADO, CALIFORNIA, WYOMING & MINNESOTA TERRI LEE WILLIAMS
SARA FRANKENSTEIN
AMY K. KOENIG
JASON M. SMILEY
JONATHAN M. OOSTRA
MATTHEW E. NAASZ
MATTHEW R. McGOVERN
QUENTIN L. RIGGINS
JEFFREY R. CONNOLLY

WYNN A. GUNDERSON Of Counsel

February 29, 2008

### **E-FILING**

Patricia Van Gerpen South Dakota Public Utilities Commission Capitol Building, 1<sup>st</sup> Floor 500 East Capitol Avenue Pierre SD 57501-5070

RE: Alltel Communications, Inc.

In the Matter of the Petition of Western Telephone Company for Modification of

Section 251(b)(2) of the Communications Act of 1934, as amended

TC08-009 GPGN File No. 5925.070220

Dear Ms. Van Gerpen:

Attached please find Alltel's Petition to Intervene in the above-entitled matter (Docket TC08-009). By copy of same, counsel have been served.

Please note that Gene DeJordy's name appears on the Service List for this matter. Mr. DeJordy is no longer with Alltel/WWC. In future filings, please replace Mr. DeJordy's name with: Stephen Rowell, ALLTEL Communications, Inc., One Allied Drive, Little Rock, AR 72202 (e-mail Stephen.B.Rowell@alltel.com).

If you have any questions, please contact me.

Sincerely,

Talbot J. Wieczorek

TJW:klw Enclosure

c: Service List Client

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

In the Matter of the Petition of	)	
Western Telephone Company	)	Docket No. TC08-009
Modification of Section 251(b)(2)	)	Petition for Formal Intervention
of the Communications Act of 1934	)	
as amended	)	

COMES NOW Alltel Communications, LLC. ("Alltel"), by and through its counsel, and pursuant to A.R.S.D. § 20:10:01:15:02, files this Petition for Formal Intervention, and in support thereof states as follows:

- 1. Alltel is a Delaware Limited Liability Company, with its principal place of business at One Allied Drive, Little Rock, AR 72202. Alltel is authorized to transact business in the State of South Dakota.
- 2. Alltel is a provider of commercial mobile radio services ("CMRS") in South Dakota within the areas served by Petitioner and has been designated as an Eligible Telecommunications Carrier within South Dakota by prior Orders of the South Dakota Public Utilities Commission.
- 3. As a CMRS provider doing business in South Dakota within Petitioner's service area, Alltel is an interested party in this proceeding as it may result in the delay of implementation of intermodal local number portability in South Dakota directly and negatively impacting Alltel's South Dakota operations.
- 4. In addition, South Dakota consumers are adversely impacted by any suspension of the intermodal number portability obligation as they may be denied the opportunity to take advantage of various advanced wireless services if they want to retain their current number while changing providers. Finally, any suspension of an ILECs

local number porting obligation exerts further pressure on available number (NPA)

exhaust issues. Alltel, therefore, desires to have Formal Intervenor status in order to

participate in this proceeding in accordance with A.R.S.D. § 20:10:01:15:02.

WHEREAS, Alltel respectfully requests that the Commission grant it status as a

Formal Intervenor in this matter and, as such, that Alltel be allowed to participate in this

matter as provided in the Rules of Commission Procedure.

Respectfully submitted,

Dated: February 29, 2008

Talbot Wieczorek

Gunderson, Palmer, Goodsell & Nelson, LLP

440 Mt Rushmore Road

PO Box 8045

Rapid City, South Dakota 57709

Phone: (605) 342-1078

Fax: (605) 342-0480

Email: tjw@gpgnlaw.com

ATTORNEYS FOR ALLTEL COMMUNICATIONS, LLC

2

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Petition for Formal Intervention (Docket TC08-009) was delivered by electronic mail this 29th day of February, 2008, to the following:

MS ROLAYNE ALTS WIEST STAFF ATTORNEY SOUTH DAKOTA PUBLIC UTILITIES COMMISSION 500 EAST CAPITOL PIERRE SD 57501 rolayne.wiest@state.sd.us

MS DARLA POLLMAN ROGERS
ATTORNEY AT LAW
RITER, ROGERS, WATTIER & BROWN,
LLP
P.O. BOX 280
PIERRE, SD 57501-0280
dprogers@riterlaw.com

MS LINDA GODFREY
VERIZON WIRELESS
2785 MITCHELL DRIVE MS 7-1
WALNUT CREEK CA 94598
Linda.godfrey@verizonwireless.com

Stephen Rowell
ALLTEL Communications, Inc.
One Allied Drive
Little Rock, AR 72202
Stephen.B.Rowell@alltel.com

MR HARLAN BEST
STAFF ANALYST
SOUTH DAKOTA PUBLIC UTILITIES
COMMISSION
500 EAST CAPITOL
PIERRE SD 57501
harlan,best@state.sd.us

MS MARGO D. NORTHRUP ATTORNEY AT LAW RITER, ROGERS, WATTIER & BROWN, LLP P.O. BOX 280 PIERRE, SD 57501-0280 m.northrup@riterlaw.com

ALDEN BROWN
GENERAL MANAGER
WESTERN TELEPHONE COMPANY
P. O. BOX 128
FAULKTON SD 57438-0128
aldenb@westtelco.com

Talbet J. Wieczorek

3